

Department of Transportation

1211.204-70

**Subpart 1209.5—Organizational
Conflicts of Interest**

1209.507 Solicitation provisions.

The contracting officer may insert the provision at (TAR) 48 CFR 1252.209-70, "Disclosure of Conflicts of Interest" in all solicitations for negotiated acquisitions, when simplified acquisitions procedures in (FAR) 48 CFR Part 13, are not used and when the contracting officer believes the conditions enumerated in (FAR) 48 CFR 9.507-2 warrant inclusion.

[61 FR 50249, Sept. 25, 1996]

**PART 1210—MARKET RESEARCH
[RESERVED]**

**PART 1211—DESCRIBING AGENCY
NEEDS**

Sec.

**Subpart 1211.1—Selecting and Developing
Requirements Documents**

1211.104 Items peculiar to one manufacturer.

1211.104-70 Offer evaluation and award, brand name or equal descriptions.

**Subpart 1211.2—Using and Maintaining
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1211.204-70 Solicitation provisions and contract clauses.

1211.204-90 Solicitation provision and contract clause (USCG).

Subpart 1211.6—Priorities and Allocations

1211.602 General.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 61 FR 50249, Sept. 25, 1996, unless otherwise noted.

**Subpart 1211.1—Selecting and
Developing Requirements
Documents**

SOURCE: 62 FR 26420, May 14, 1997, unless otherwise noted.

1211.104 Items peculiar to one manufacturer.

**1211.104-70 Offer evaluation and
award, brand name or equal descriptions.**

(a) An offer may not be rejected for failure of the offered product to equal a characteristic of a brand name product if it was not specified in the brand name or equal description. However, if it is clearly established that the unspecified characteristic is essential to the intended end use, the solicitation may be defective and need to be amended or the requirement resolicited.

(b) The contracting officer shall insert in the solicitation an entry substantially as follows for completion by the offeror in the item listing after each item or component part of an end item to which a brand name or equal purchase description applies:

Offering on:

Manufacturer's Name:

Brand:

No:

(c) Except when bid samples are requested for brand name or equal procurements, the following note shall be inserted in the item listing after each brand name or equal item (or component part), or at the bottom of each page, listing several such items, or in a manner that may otherwise direct the offeror's attention to this note:

Offerors offering other than brand name items identified herein should furnish with their offers adequate information to ensure that a determination can be made as to the equality of the product(s) offered (see the provision at (TAR) 48 CFR 1252.211-70, Brand Name or Equal).

**Subpart 1211.2—Using and Main-
taining Requirements Docu-
ments**

**1211.204-70 Solicitation provisions
and contract clauses.**

(a) The contracting officer shall insert the provision at (TAR) 48 CFR

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1252.211-70, Brand Name or Equal, in solicitations using a brand name or equal purchase description whenever practicable.

(b) The contracting officer shall insert the clause at (TAR) 48 CFR 1252.211.71, Index for Specifications, when an index or table of contents may be furnished with the specification.

[62 FR 26420, May 14, 1997]

1211.204-90 Solicitation provision and contract clause. (USCG)

(a) The contracting officer shall insert the USCG clause at (TAR) 48 CFR 1252.211-90, Bar Coding Requirement, (also see (TAR) 48 CFR 1213.507-90(a)) when the bar coding of supplies is necessary.

(b) See (TAR) 48 CFR 1213.507-90 for a provision which is required when the USCG clause at (TAR) 48 CFR 1252.211-90, Bar Coding Requirement, is used with simplified acquisition procedures.

[64 FR 2437, Jan. 14, 1999]

Subpart 1211.6—Priorities and Allocations

1211.602 General.

(c) The USCG is the only DOT OA delegated authority under the Defense Priorities and Allocations System (DPAS) regulation (15 CFR 700) to assign priority ratings on contracts and orders placed with contractors to acquire products, materials, and services in support of USCG certified national defense related programs.

PART 1212—ACQUISITION OF COMMERCIAL ITEMS [RESERVED]

PART 1213—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

Subpart 1213.1—General

Sec.

1213.106 Soliciting competition, evaluation of quotations or offers, award and documentation.

1213.106-190 Soliciting competition. (USCG)

Subpart 1213.3—Simplified Acquisition Methods

1213.302 Purchase orders.

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1213.302-590 Clauses. (USCG)

Subpart 1213.5—Purchase Orders

1213.507-90 Clauses. (USCG)

Subpart 1213.71—Department of Transportation Procedures for Acquiring Training Services

1213.7100 Applicability.

1213.7101 Solicitation provision and contract clause.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

Subpart 1213.1—Procedures

SOURCE: 64 FR 2437, Jan. 14, 1999, unless otherwise noted.

1213.106 Soliciting competition, evaluation of quotations or offers, award and documentation.

1213.106-190 Soliciting competition. (USCG)

The contracting officer shall insert the USCG provision at (TAR) 48 CFR 1252.213-90, Evaluation Factor for Coast Guard Performance of Bar Coding Requirement, in requests for quotations when the USCG clause at (TAR) 48 CFR 1252.211-90, Bar Coding Requirement, is used with simplified acquisition procedures.

Subpart 1213.3—Simplified Acquisition Methods

SOURCE: 64 FR 2437, Jan. 14, 1999, unless otherwise noted.

1213.302 Purchase orders.

1213.302-590 Clauses. (USCG)

The contracting officer shall insert the USCG clause at (TAR) 48 CFR 1252.211-90, Bar Coding Requirement, in requests for quotations and purchase orders issued by the Inventory Control Points when bar coding of supplies is necessary.

Subpart 1213.5—Purchase Orders

1213.507-90 Clauses. (USCG)

The contracting officer shall insert the USCG clause at (TAR) 48 CFR 1252.211-90, Bar Coding Requirement, in